

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NEW WALLINGTON HOME, LLC, *et al.*,

Plaintiffs,

v.

BOROUGH OF WALLINGTON, *et al.*,

Defendants.

Case No. 20-cv-08178-CCC-ESK

PRETRIAL SCHEDULING ORDER

THIS MATTER having come before the Court pursuant to Rule 16 of the Federal Rules of Civil Procedure; and the parties having filed a joint discovery plan on October 23, 2020 (ECF No. 17); and defendants having filed motions to dismiss (Motions to Dismiss) (ECF Nos. 9 and 11); and the parties having filed a letter and proposed stipulation regarding plaintiffs' filing of an amended complaint (ECF Nos. 16 and 16-1); and for good cause shown,

IT IS on this **27th** day of **October 2020** **ORDERED** that:

1. A telephone status conference is scheduled for **January 27, 2021 at 10:00 a.m.** before Magistrate Judge Edward S. Kiel. The parties shall file a joint letter, at least three business days before the conference advising of the status of discovery, any pending motions, and any other issues to be addressed.

2. Plaintiffs are granted leave to file an amended complaint by **November 23, 2020**. If defendants intend to file motions to dismiss following the filing of the amended complaint, the parties shall meet and confer and file a proposed briefing schedule for the anticipated motions to dismiss.

3. The Motions to Dismiss (ECF Nos. 9 and 11) are administratively terminated. The Clerk of the Court is directed to terminate the Motions to Dismiss at **ECF Nos. 9 and 11**.

4. The parties shall meet and confer for an e-discovery conference pursuant to Local Rule 26.1(d) by **December 4, 2020**.

5. The parties shall exchange the information required under Fed. R. Civ. P. 26(a)(1) by **December 15, 2020**.

6. The parties may serve initial written discovery requests on or before **December 25, 2020**. Interrogatories shall be limited to **25** single questions, inclusive of subparts.

7. The number of depositions to be taken by each side shall not exceed **10**.

8. Fact discovery is to remain open through **December 31, 2021**. All depositions of fact witnesses must be completed by the close of fact discovery. No fact discovery is to be issued or engaged in beyond that date, except for good cause shown.

9. The parties are directed to Rule 26(f) and Local Rule 26.1, which address preservation of discoverable information, discovery of electronically stored information, claims of privilege or work product protection, and the obligations of counsel concerning their clients' information management systems.

10. The parties are directed to the Court's Civil Case Management Order for procedures concerning discovery disputes, motion practice, and requests for extensions and adjournments.

11. All affirmative expert reports shall be served by **January 31, 2022**. All responsive expert reports shall be served by **March 1, 2022**. Depositions of all experts shall be completed by **April 15, 2022**. All expert reports shall comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert may testify at trial as to any opinions or facts not substantially disclosed in the expert's report.

12. Proposed confidentiality orders, submitted upon the consent of the parties, must comply with Rule 26(c), Local Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.

/s/ Edward S. Kiel
EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE